IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the August 21, 2006
Criminal Bail Application No. 657 of 2006
Order on bail application of accused

CRIMINAL SIDE

Ayyub S/o Kadam
R/o Village Kasampur
Police Station Pathari
District Haridwar .....Applicant

Versus

State of Uttaranchal .....Opposite Party

Arising out of Case Crime No. 43 of 2006.
Under Section 302/34, 147,148,149 I.P.C.
Police Station Pathari
District Haridwar

By the court

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime No. 43 of 2006 Under Sections 302/34, 147, 148, 149 I.P.C., Police Station Pathari, District Haridwar.

Heard Sri K.S. Verma holding brief of Sri S.K. Shandilya, learned counsel for the applicant, Sri Navneet Kaushik, learned counsel for the complainant, learned A.G.A. for the State and perused the record.

The cross version has also been lodged for the side of the accused. One person, namely, Suleman has also sustained injuries form the side of the accused persons.

Suleman was also medically examined on the date of the occurrence and he sustained as many as five injuries on his person.

Keeping in view of the cross version lodged by both the parties as well as the injuries sustained by both sides, I am not in a position to say at this state that which of party is aggressor.

Having considered the aforesaid facts and circumstances I think, it is a fit case for bail at this stage.

Let the applicant be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned.

(B.C. Kandpal, J.)

21.08.2006
ASWAL